

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Charles Winston, Jr.,
5 Plaintiff
6 v.
7 Air Truck Express, Inc., et al.,
8 Defendants
9

Case No.: 2:13-cv-1167-JAD-GWF


**Order Denying Motion to Strike
Notice of Appeal**

[ECF No. 47]

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11 On January 27, 2016, I granted defendants' motion for summary judgment and entered final
12 judgment against plaintiff Charles Winston.¹ Though represented by counsel, Winston personally
13 filed a handwritten notice of appeal in violation of this court's local rule IA 10-6(a), which
14 prohibited Winston from filing a document on his own behalf because he was represented by
15 counsel.² Defendants filed a motion to strike Winston's pro se notice of appeal in March 2016.³ A
16 month later, the United States Court of Appeals for the Ninth Circuit dismissed Winston's appeal for
17 failure to respond to one of its orders.⁴

18 In light of the fact that the appeal that was started by Winston's pro se notice has been
19 dismissed, IT IS HEREBY ORDERED that Defendants' Motion to Strike the Notice of Appeal
20 **[ECF No. 47] is DENIED** as moot.

21 DATED: June 8, 2016

22 
23 JENNIFER A. DORSEY
24 UNITED STATES DISTRICT JUDGE
25

26 ¹ ECF No. 40.

27 ² LR IA 10-6 was amended effective May 1, 2016, and is now found at IA 11-6.

28 ³ ECF No. 47.

⁴ ECF No. 52.